County of HILLSBOROUGH)
) ss.
State of FLORIDA)

AFFIDAVIT OF
MICHAEL LOFTON

I, **MICHAEL LOFTON**, being first duly sworn upon oath do hereby depose and state as follows:

1. My name is Michael Lofton. I am employed by Intermedia Communications Inc. ("Intermedia") as Network Facilities Supervisor. My business address is 3625 Queen Palm Drive, Tampa, Florida 33619, and my telephone number is (813) 829-2234. In my capacity as Network Facilities Supervisor, I am responsible for designing, ordering, and placement of circuit groups between various exchanges. I graduated from Louisiana State University in 1976. Prior to joining Intermedia, I was employed for five years as Network Facilities Manager by Long Distance Savers, Inc., a telecommunications carrier located in Monroe, Louisiana.

2. I am submitting this Affidavit on behalf of Intermedia. The purpose of my Affidavit is to describe the sequence of events leading up to BellSouth's request that Intermedia submit an Access Service Request ("ASR") for multiple tandem architecture in the Atlanta, Georgia Local Access and Transport Area ("LATA").

3. On or around September 8, 1998, I was contacted by Dean Podzamsky, who is the Manager of the Translation Department at Intermedia, requesting my group to submit an Access Service Request ("ASR") for multiple tandem architecture in the Atlanta, GA LATA. Mr. Podzamsky informed me that his group had received a request from BellSouth asking Intermedia

to submit an ASR for multiple tandem architecture in the Atlanta LATA in order to make BellSouth's records consistent with its circuit deployment. I advised Mr. Podzamsky that neither I nor anyone on my staff knew how to prepare an ASR for multiple tandem architecture because we had never done one before for Intermedia, and there was no need to do one as Intermedia had direct connections to individual tandems in the Atlanta LATA.

4. Nevertheless, because Mr. Podzamsky's was acting in response to BellSouth's request, and it appeared from my conversation with Mr. Podzamsky that the request was critical to BellSouth, I contacted Kasey Howard at BellSouth to seek help on preparing an ASR for multiple tandem architecture as instructed by BellSouth. I advised Mr. Howard that we had never done an ASR for multiple tandem architecture, and that we needed help on preparing it. Mr. Howard understood and promised to provide me with information on preparing an ASR for this type of architecture. A day or so later after my conversation with Mr. Howard, I received a three-page document from BellSouth via facsimile, containing instructions on how to prepare an ASR for multiple tandem architecture. A copy of this document is attached to this Affidavit as **EXHIBIT A.**

5. Using the information I gleaned from the document that was faxed to me by BellSouth, I prepared an ASR for multiple tandem architecture, as BellSouth requested. I then submitted that ASR, identified as Purchase Order Number 1998-21479-50593, to BellSouth electronically via the BDS-TELIS Data Entry Subsystem on November 5, 1998. A hard copy of the ASR is attached to this Affidavit as **EXHIBIT B.**

6. I never received a notice from BellSouth rejecting the ASR, so I assumed that the ASR was "clean," although I was informally advised by BellSouth that the ASR could not be processed because the Buckhead tandem was already multi-tandem. Similarly, I never received

a Firm Order Confirmation ("FOC") from BellSouth indicating that the ASR request was accepted. I assumed, however, that because BellSouth was only requesting an ASR for multiple tandem architecture to make its record consistent with its circuit deployment, there was no need for BellSouth to send us a FOC. In other words, if multiple tandem architecture was already in place prior to BellSouth's request that Intermedia submit an ASR, as was evidently the case here, it would not have been necessary to confirm the order. Nevertheless, the ASR remained "open" in Intermedia's records.

7. On February 18, 1999, while reviewing my files, I was reminded that the multiple tandem ASR was still "open." I then placed a telephone call to Mr. Howard at BellSouth to discuss the status of the ASR. Mr. Howard reiterated to me that BellSouth requested Intermedia to submit an ASR for multiple tandem architecture in order to alleviate capacity limitations in the Buckhead tandem. Mr. Howard also assured me that the multiple tandem architecture would be left in place until BellSouth had addressed the capacity problems in the Atlanta LATA, and specifically the Buckhead tandem. I made clear to Mr. Howard that Intermedia would prefer to continue to have direct interconnections to all the tandems in the Atlanta LATA. Further, I specifically stated to Mr. Howard that what Intermedia really wanted was for BellSouth to upgrade the Buckhead tandem and give Intermedia additional trunk terminations there. I then advised Mr. Howard that I was closing out the ASR for multiple tandem architecture which BellSouth requested Intermedia to submit previously. During the same telephone conversation, Mr. Howard asked someone at BellSouth to close the multiple tandem ASR submitted by Intermedia. Before the conversation ended, Mr. Howard assured me that the ASR had been closed.

8. Following my telephone conversation with Mr. Howard, I sent him an e-mail on February 18, 1999, confirming our conversation and formally closing the ASR in writing. Mr. Howard never responded to that e-mail, nor did he at any time in my subsequent telephone conversations with him, challenge my summarization of our prior discussion concerning multiple tandem architecture. A copy of my e-mail to Mr. Howard is attached to my Affidavit as **EXHIBIT C.**

FURTHER AFFIANT SAYETH NOT.

Michael Lofton

SUBSCRIBED AND SWORN TO BEFORE ME this 14 day of July, 1999.

NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC TAMMY A. KUELL
State of Florida
My comm. expires July 17, 1999
Comm. No. CC 481368
( ) Personally Known ( ) Produced I.D.

EXHIBIT A
MULTIPLE TANDEM ARCHITECTURE ASR INFORMATION PROVIDED BY BELLSOUTH TO INTERMEDIA

LINKS:

Will SS7 Links be ordered? If not, will a Link Provider be utilized and if so, may we have the STP CLLIs that connect to our local STPs. (See SS7 Form.)

LOCAL TANDEM ACCESS:

Which local tandem/tandems with the CLEC connect to?

Provide this information to Debbie Ballew/LeeVerta George so EXACT can be updated with the Local Tandem/End Offices information.

If the CLEC connects to more than one tandem in the local calling area, a "home" local tandem must be designated by the CLEC.

Directionality for the trunk groups?

For 2-way trunking, the CLEC must provide a CIC code that is not used for FG-D service. (If 1-way local tandem trunking is ordered, the FG-D CIC is adequate.)

If the CLEC plans to order a one-way trunk group to the local tandem, will CCM order a local tandem trunk group to the CLEC or deliver local traffic to the CLEC through the access tandem?

BST should let the CLEC know if the local tandem is ISDN/64CCC capable.

What rate center and NXXs is the CLEC trunk group to the Local Tandem associated with?

This information is for Translations, so they can create local calling area translations for the CLEC end office by mirroring the local calling area of a similar BST end office.

MULTIPLE TANDEM ACCESS

This option will allow the CLECs to interconnect at one or more access tandems in the LATA for exchange of traffic with multiple access tandems within the LATA. This option applies to trunk groups ordered with the following TRFTYP combinations on the ASR. Also shown is the associated TU & MODs:

Directionality	TTT	TRFTYP	TU	MOD
Terminating & Originating	1 & 2	TM	TD	JZT/KE
2-way	3	TM/TM	TD	JZT/KE
*2-way	3	TM/AM	TD	JZS/KE
2-way	3	AM/AM	TD	JZA/KE

* - BellSouth's preference

APPENDIX C
Version #15
June 30, 1997
(New entries are bolded)

CLEC ASR REQUIREMENTS TABLE
SUPERGROUP

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	PLSG	TU	MOD
SH-D	TS/AL	3	BST AT	* (LOW ALPHA)		MM	TD	JZS
SHSA	TS/AL	3	BST AT	* (LOW ALPHA)		77	TD	JZS
SHSC	TS/AL	3	BST AT	* (LOW ALPHA)		77	TD	JZSKE
SH-D	AL/AL	3	BST AT	* (LOW ALPHA)		MM	TD	JZA
SHSA	AL/AL	3	BST AT	* (LOW ALPHA)		77	TD	JZA
SHSC	AL/AL	3	BST AT	* (LOW ALPHA)		77	TD	JZAKE

* (LOW ALPHA) will determine ALOC and ZLOC.

CLEC ASR REQUIREMENTS TABLE
LOCAL TANDEM TRUNK GROUPS TO BELLSOUTH

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	PLSG	TU	MOD
SBUB,SDUB	LL	2	BST Loc. T	CLEC	BST	M-	TO	JZL
SBUB,SDUB	LL/LL	3	BST Loc. T	*(LOW ALPHA)		MM	OG	JZL
SBUM,SDUM	LL	2	BST Loc. T	CLEC	BST.	7-	TO	JZL
SBUM,SDUM	LL/LL	3	BST Loc. T	*(LOW ALPHA)		77	OG	JZL
SBUN,SDUN	LL	2	BST Loc. T	CLEC	BST	7-	TO	JZLKE
SBUN,SDUN	LL/LL	3	BST Loc. T	*(LOW ALPHA)		77	OG	JZLKE

* (LOW ALPHA) will determine ALOC and ZLOC.

CLEC ASR REQUIREMENTS TABLE
MULTIPLE TANDEM ACCESS TRUNK GROUPS TO BELLSOUTH

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	PLSG	TU	MOD
SH-D	TM/TM	3 **	BST AT	* (LOW ALPHA)		MM	TD	JZT
SHSA	TM/TM	3 **	BST AT	* (LOW ALPHA)		77	TD	JZT
SHSC	TM/TM	3 **	BST AT	* (LOW ALPHA)		77	TD	JZTKE
SH-D	TM/AM	3	BST AT	* (LOW ALPHA)		MM	TD	JZS
SHSA	TM/AM	3	BST AT	* (LOW ALPHA)		77	TD	JZS
SHSC	TM/AM	3	BST AT	* (LOW ALPHA)		77	TD	JZSKE
SH-D	AM/AM	3	BST AT	* (LOW ALPHA)		MM	TD	JZA
SHSA	AM/AM	3	BST AT	* (LOW ALPHA)		77	TD	JZA
SHSC	AM/AM	3	BST AT	* (LOW ALPHA)		77	TD	JZAKE

* (LOW ALPHA) will determine ALOC and ZLOC.
** Note: Two one-way transient multiple trunk groups may be ordered in place of one two-way group.

APPENDIX C
Version #15
June 30, 1997
(New entries are bolded)

CLEC ASR REQUIREMENTS TABLE
LOCAL/INTRALATA TOLL TRUNK GROUPS TO BELLSOUTH

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	FLSG	TU	MOD
SD-D, SB-D	LT	2	BST EO	CLEC	BST	M-	ED	J
SD-D, SB-D	LT/LT	3	BST EO	*(LOW ALPHA)		MM	ED	J
SDSA, SBSA	LT	2	BST EO	CLEC	BST	7-	ED	J
SDSA, SBSA	LT/LT	3	BST EO	*(LOW ALPHA)		77	ED	J
SH-D	LT	2	BST AT	CLEC	BST	M-	TD	J
SH-D	LT/LT	3	BST AT	*(LOW ALPHA)		MM	TD	J
SHSA	LT	2	BST AT	CLEC	BST	7-	TD	J
SHSA	LT/LT	3	BST AT	*(LOW ALPHA)		77	TD	J
SDSC	LT	2	BST EO	CLEC	BST	7-	ED	JKE
SDSC	LT/LT	3	BST EO	*(LOW ALPHA)		77	ED	JKE
SHSC	LT	2	BST AT	CLEC	BST	7-	TD	JKE
SHSC	LT/LT	3	BST AT	*(LOW ALPHA)		77	TD	JKE

* (LOW ALPHA) will determine ALOC and ZLOC.

CLEC ASR REQUIREMENTS TABLE
TERMINATING CHOKE TRUNK GROUPS TO BELLSOUTH

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	FLSG	TU	MOD
SD-D, SB-D	CH	2	BST EO	CLEC	BST	M-	ED	JCR
SDSA, SBSA	CH	2	BST EO	CLEC	BST	7-	ED	JCR
SDSC	CH	2	BST EO	CLEC	BST	7-	ED	JCRKE
SH-D	CH	2	BST AT	CLEC	BST	M-	TD	JCR
SHSA	CH	2	BST AT	CLEC	BST	7-	TD	JCR
SHSC	CH	2	BST AT	CLEC	BST	7-	TD	JCRKE

CLEC ASR REQUIREMENTS TABLE
TRANSIENT TRAFFIC TRUNK GROUPS

ASR REQUIREMENTS				TRUNK GROUP ID				
NC	TRFTYP	TTT	SECLOC	ALOC	ZLOC	FLSG	TU	MOD
SH-D	TS/TS	3	BST AT	* (LOW ALPHA)		MM	TD	JZT
SHSA	TS/TS	3	BST AT	* (LOW ALPHA)		77	TD	JZT
SHSC	TS/TS	3	BST AT	* (LOW ALPHA)		77	TD	JZTKE

* (LOW ALPHA) will determine ALOC and ZLOC.

Note: Two one-way transient traffic trunk groups may be ordered in place of one two-way group.

EXHIBIT B

MULTIPLE TANDEM ARCHITECTURE ASR PREPARED AND SUBMITTED BY INTERMEDIA TO BELLSOUTH PER BELLSOUTH'S REQUEST

```
Screen   ICASR___        BOS-TELIS DATA ENTRY SUBSYSTEM         11051998 15:40
Command _________  .          Access Service Request             Archive
Transfer Stat  Y                                                      ECI _
     CCNA-EXF PON 1998-21479.50593 VER __ ICSC SB01 D/TSENT 11051998 0339PM
                                                                      QA _
D/T Proc 11051998 15:28  D/T Upd 11051998 15:39  Status F  CC ____
D/T Sel                  D/T Ret                 SPA _    CNO ___________
ASR                      EC Status               FDT ______
DDD   11061998 Prjct _______________ NOR __ __ LUP ___ ReqTyp MD Act C RTR S_
SUP _   AFO ____ Exp Y AENG _ ALB _ AGAUT _ Dated ________ LTP CA__
Cust   INTERMEDIA/PHONE ONE_____ FBA ____
FNI    _____________             CFNI  __________________ Unit C PIU 100
CKR    TG0018284_________________________________________        PLU ___
ECCKT  AC198301__________________________________________  Qty _______
                                                           Qty _______
BAN    N/A_________  ASG ______  BIC _ TEL ___ ___ ____ BIC-ID ___________
TSC    AC198301__         ACTL ATLNGABU0IT APOT __________ LA _ AI _
ROrd   _______________  SPEC _______  PPTD ________  PFPTD ________
RPON   1997-21479-14000  CCVN ______    ASC-EC ____ TSP _________-__
SAN    ______________________________  AFG _  TQ DY  BSA _
Remarks THIS ORDER IS TO CHANGE TRK GROUP AC198301 AND THE ATLNGABU0IT TANDEM T
O A MULTI TANDEM.SEE ORIGINAL ORDER WHICH IS RPON.TRF TYPE SHOULD BE TMTM. TTT.
3.________________________________
ICS0001I - FIND COMPLETE.
```

Rita
205-714-0027

```
Screen  ICADM___          BOS-TELIS DATA ENTRY SUBSYSTEM-        11051998 15:40
Command _______ .         ASR Administration Information
-------------------------------------------------------------------------------
    CCNA EXF  PON 1998-21479.50593  VER __  ICSC S801  ReqTyp MD  Act C
    ECCKT AC198301                                               Status F
    ASR                 EC Status        RPON 1997-21479-14000
========================== Billing Information ================================
BillNm  INTERMEDIA / PHONE ONE___     SBillNm INTERMEDIA / PHONE ONE___
ACNA    EXF    TE G    EBP _____
Street  3625 QUEEN PALM DR_____       Fl 3RD Rm _____ VCVTA _________________
City    TAMPA_____________________    State FL  Zip 33619-_____
BillCon LINE COST DEPT_ Tel 813-829-0011-____  SCL _ VTA _________________
========================== Contact Information ================================
Init    JEFF NOBLE_____               Tel 813-829-2812-____
Street  3625 QUEEN PALM DR_____       Fl 2__    Rm _____
City    TAMPA_____________________    State FL  Zip 33619-_____

DsgCon  JEFF NOBLE_____               Tel 813-829-2812-____
Street  3625 QUEEN PALM DR_____       DRC ZCJ   FDRC ___  Fl 3__ Rm _____
City    TAMPA_____________________    State FL  Zip 33619-_____

ImpCon  NCC_____________              Tel 800-940-0033-____
MTC     DUTY_____                     Tel 800-940-0033
ICS9098I - NEXT COMPLETED.
```

```
Screen  ICFGB___          BDS-TELIS DATA ENTRY SUBSYSTEM          11051998 15,40
Command _______                ASR Feature Groups B,C,D
   CCNA EXF  PON 1998-21479.50593  VER __  ICSC SB01  ReqTyp MD  ACT C
   ECCKT AC198301                                               Status F
   ASR                EC Status        RPON 1997-21479-14000

========================== Service Details ==========================

NC SHSA  NCI 04DS6.44____  TLV ______ ______  DFDLRD 11061998
DDLRD 11061998 DFOC 11061998  QACI __ TTT 3  TrfTyp TS-TS
SecTLV ______ ______ EML ______ ______ CIC 0393 TRN ____-____
RECCKT ____________________________________________________
RECCKT ____________________________________________________
CFA    AC198301 F/A_____________________________  CPT _____-_____
CFAU _  AcSwLoc N/A_______ AcSwType ________
CKRI TG0018284___________________________________
SCFA ____________________________________  HBAN ___________
FACTL ATLNGABU01T  CSPC ___-___-___  TCIC _____-_____ NS _
LT _  SLC __  NCI HCED  IMPTEL 800-940-0033-____  MUXLOC __________
PSAP ____________________
Remarks
      THIS IS A CHANGE ORDER TO CHANGE TANDEM TO MULTI TANDEM.TRFTYP SHOULD BE
      TM-TM.___________________________________________
ICS9098I - NEXT COMPLETED.
```

```
Screen  ICFB2___          BDS-TELIS DATA ENTRY SUBSYSTEM          11051998 15:40
Command _______                ASR Feature Groups B,C,D
   CCNA EXF  PON 1998-21479.50593  VER __  ICSC SB01  ReqTyp MD  ACT C
   ECCKT AC198301                                               Status F
   ASR                EC Status        RPON 1997-21479-14000    NC SHSA
   RECCKT
   RECCKT

=========================== Service Details ============================
SSPC___-___-___-___ PCU ________ TYPE _ SSPC___-___-___-___ PCU ________ TYPE _
SSPC___-___-___-___ PCU ________ TYPE _ SSPC___-___-___-___ PCU ________ TYPE _
SSPC___-___-___-___ PCU ________ TYPE _ SSPC___-___-___-___ PCU ________ TYPE _
SSPC___-___-___-___ PCU ________ TYPE _ SSPC___-___-___-___ PCU ________ TYPE _
PRI ADM __________                      SEC ADM __________
========================== Service Options =============================
SR _ MBA _ OPS _ GETO _ WAC _ COND _ DIDQ _ PC ACT _  REL TSC ________
ALTRO _____________ FGD950 _
SCRT ____________________________________________________ CHOK ___ CGAP ___
========================== Location Section ============================
SecLOC ATLNGABU01T DNPA/NXX ______

RemarksTHIS IS A CHANGE ORDER TO CHANGE TANDEM TO MULTI TANDEM.TRFTYP SHOULD BE
       TM-TM._____________________________________________
ICS9098I - NEXT COMPLETED.
```

```
Screen  ICTQ____          BDS-TELIS DATA ENTRY SUBSYSTEM          11051998 15:40
Command _______                Translation Questionnaire
CCNA EXF  PON 1998-21479.50593  VER __  ICSC SB01  ReqTyp MD  Act C
ECCKT AC198301                                              Status F
RSR                  EC Status        RPON 1997-21479-14000
========================= Administrative Section ==========================
 Tech-Con JEFF NOBLE_____     Tel 813-829-2812-____  DB Test TN ___-___-____
 ATP _  BCR3 ________  BCR5 ________  BCR6 ________  M64 __ GLARE _
============================== Common Section ==============================
 Ref TG  TG  TSC          APON          DIR ANI DA   Tk   Test Tk  SAC OT OVLP
     Act TYP                                ACC  Seq  ANI Sig Non
  A   E   _  AC198301 _______________  __  _  _  __  _  __  _  _  _
  B   _   _  _______  _______________  __  _  _  __  _  __  _  _  _
  C   _   _  _______  _______________  __  _  _  __  _  __  _  _  _
  D   _   _  _______  _______________  __  _  _  __  _  __  _  _  _
 Ref CTO OSAC USDO CSP CPN CIP FACT AltRef  FACT XXXX FACT XXXX FACT XXXX
  A   _  ____  _   _   _   _   _  _______  _  ____  _  ____  _  ____
  B   _  ____  _   _   _   _   _  _______  _  ____  _  ____  _  ____
  C   _  ____  _   _   _   _   _  _______  _  ____  _  ____  _  ____
  D   _  ____  _   _   _   _   _  _______  _  ____  _  ____  _  ____
Remarks
      CHANGE TANDEM TO MULTI TANDEM._____________________________________
      ____________________________________________
ICS9098I - NEXT COMPLETED.
```

```
Screen  ICTQ2___          BDS-TELIS DATA ENTRY SUSBSYSTEM          11051998 15:40
Commend _______  -  Translation Questionnaire (Continued)
--------------------------------------------------------------------------------
    CCNA EXF PON 1998-21479.S0593  VER __ ICSC SB01 ReqTyp MD  Act C
    ECCKT AC198301                                              Status F
    ASR                EC Status       RPON 1997-21479-14000
********************** Common Section (Continued) ==========================
Ref BRAND ANNC                                              CCW
 A    _  ____________________________________________       Y
 B    _  ____________________________________________       _
 C    _  ____________________________________________       _
 D    _  ____________________________________________       _

 C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX
   404744
 C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

 C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

 C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

 C.NPA/NXX C.NPA/NXX  _______  _______  _______  _______  _______

ICS9098I - NEXT COMPLETED.
```

```
Screen  ICTQD___        BDS-TELIS DATA ENTRY SUBSYSTEM              11051998 15:40
Command _______  .        Translation Questionnaire

    CCNA EXF  PON 1998-21479.50593  VER __  ICSC SB01  ReqTyp MD  Act C
    ECCKT AC198301                                               Status F
    ASR                 EC Status        RPON 1997-21479-14000

========================== Feature Group D Section ==========================
  ACIC 1) ____ 2) ____ 3) ____ 4) ____ 5) ____ 6) ____ 7) ____ 8) ____ 9) ____
            CIC 0393   CCIess CC   Intre _   Inter _   Coin-EA Y
ROUTING MATRIX,                  Service Prefixes
ANI II                        1+  0+  1+  0+      1+  0+
Digits All 1+ 0+ 00 011 01 500 500 700 700 800 900 900 0-L 411 LPDA 0+L
All     A  _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
00         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
01         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
06         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
07         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
20         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
27         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
52         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
61         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
93         _  _  _  _  _  _   _   _   _   _   _   _   _   _   _    _
ICS9098I - NEXT COMPLETED.
```

Screen ICTQE___ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15:40
Command ________ Translation Questionnaire

CCNA EXF PON 1998-21479.50593 VER __ ICSC SB01 ReqTyp MD Act C
ECCKT AC198301 Status F
ASR EC Status RPON 1997-21479-14000

=================== Feature Group D Section (Continued) ===================
Routing Exception Matrix
Service Prefixes

ANI II Digits	Line/Class Service	All 1+	0+ 00	011 01	1+ 500	0+ 500	1+ 700	0+ 700	800	1+ 900	0+ 900	0-L	411	LPDA	0+L

ICS9098I - NEXT COMPLETED.

```
Screen  ICASR___          BDS-TELIS DATA ENTRY SUBSYSTEM          10121998 17:07
Command _______                 Access Service Request                 Archive
Transfer Stat  R                                                       ECI _
     CCNA ICF PON 1998-21479-50593 VER __ ICSC SB01 D/TSENT 10121998 0438PM
                                                                       QR _
D/T Proc 10121998 16:20  D/T Upd 10121998 16:38  Status F  CC ____
D/T Sel  10121998 15:40  D/T Ret 10121998 16:00  SPA _     CND _____________
ASR      9828500223      EC Status A              FDT _____
DDD  10141998 Prjct _____________ NOR __ __ LUP ___ ReqTyp SQ Act C RTR S_
SUP _  AFO ____ Exp _ AENG _ ALB _ AGAUT _ Dated _______ LTP MD MD
Cust   INTERMEDIA/PHONE ONE_____  FBA ____
FNI    _____________              CFNI _____________________  Unit C PIU 100
CKR    TG0018284_____________________________________________        PLU ___
ECCKT  AC198301_____________________________________________  Qty 0000000
                                                              Qty _______
BAN    N/A_________ FSG ______ BIC _ TEL ___ ___ ____ BIC-ID _____________
TSC    AC198301          ACTL ATLNGABU0IT APOT _____________ LA _ AI _
ROrd   _____________ SPEC _______ PPTD _______ PFPTD _______
RPON   1997-21479-14000  CCVN _____      ASC-EC ____ TSP _________-__
SAN    _____________________________     AFG _    TQ __  BSA _
Remarks THIS ORDER IS A CHANGE ORDER TO CHANGE THE ATLNGABU0IT TANDEM TO A MULT
I TANDEM.SEE ORIGINAL ORDER WHICH IS THE RPON.TRF TYPE SHOULD BE TMTM.TTT=3.___
_____________________________
ICS0001I - FIND COMPLETE.
```

557

Escalate

Tiffany

H:11

1-205-988-6580

NIPI

```
Screen  ICADM___          BDS-TELIS DATA ENTRY SUBSYSTEM          10121998 17.08
Command _______           ASR Administration Information
-------------------------------------------------------------------------------
    CCNA ICF  PON 1998-21479-50593  VER __  ICSC S801  ReqTyp SD  Act C
    ECCKT AC198301                                               Status F
    ASR 9828500223     EC Status A      RPON 1997-21479-14000
================================ Billing Information ================================
BillNm  INTERMEDIA COMMUNICATIONS     SBillNm _____________________________
ACNA    ICF    TE A    EBP _____
Street  3625 QUEEN PALM ROAD_____     Fl ___ Rm _____ VCVTA _____.____
City    TAMPA_____________________    State FL  Zip 33619-_____
BillCon LINE COST DEPT_ Tel 813-621-0011-____  SCL _ VTA _____________________
================================ Contact Information ================================
Init    JEFF NOBLE_____               Tel 813-829-2812-____
Street  3625 QUEEN PALM_____          Fl ___    Rm _____
City    TAMPA_____________________    State FL  Zip 33619-_____

DsgCon  JEFF NOBLE_____               Tel 813-829-2812-____
Street  FAX 813-829-2841_____         DRC FAX   FDRC ___  Fl ___ Rm _____
City    TAMPA_____________________    State FL  Zip 33619-_____

ImpCon  NOC_____________              Tel 800-940-0033-____
MTC     TEC ON DUTY                   Tel 800-940-0033
ICS9098I - NEXT COMPLETED.
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TM-TM

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Screen  ICSPE___          BDS-TELIS DATA ENTRY SUBSYSTEM          10121998 17:08
Command _________           ASR Special Access Service
    CCNA ICF  PON 1998-21479-50593  VER __  ICSC SB01  ReqTyp SD  Act C
    ECCKT AC198301                                               Status F
    ASR 9828500223     EC Status A      RPON 1997-21479-14000
Circuit Detail: NC HCE- NCI 04DS6.66____ TLV _______ _______ S25 ____ EXR _
TRF _ MST _ GETO _ GBTN ___-___-____ HVP _ NSIM _ SR ___
SecNCI _____ SI _ SPOT _____ SecTLV _____ _____ CKLT _____
NSL __ ATN _____ CFA N/A_____
CPT _____-_____ CFAU _ SSS _ SCFA _____
MUXLoc _____ HBAN _____ WACD1 _____
PRIADM _____ WACD2 _____
SECADM _____ CLK _ NVC ___ PSPEED _____ LMP _ N/U _ ZLG _ BSC _ ETET _
Location Sect.:SecLc EATLNGABU01T_____ Street N/A_____
Bldg N/A_____ Fl N/A_____ Rm N/A_____ City ATLANTA_____ St GA
ALoc _____
_____ OTC ____ WKTel ___-___-____
ACTel ___-___-____-____ EUCon _____ EUTel ___-___-____-____
LCon _____ ACC _____
REN ____ JKCod _____ PCA _____ JKNum __ JKPos __ JS _ SMJK _
CTX Tel ___-___-____ CTX Nm _____ ISDN SEQ __ of __
RMKS  THIS IS JUST A CHANGE ORDER TO CHANGE TANDEM ATLNGABU01T TO A MULTI TAND
      EM._____
ICS9098I - NEXT COMPLETED.
```

EXHIBIT C
E-MAIL FROM MICHAEL LOFTON TO KASEY HOWARD

[redacted]

From: Lofton, Michael G. (EXCH)
Sent: Thursday, February 18, 1999 12:28 PM
To: 'kasey.howard@bridge.bellsouth.com'
Cc: Thomas, Ed L. (EXCH)
Subject: Closing ASR 1998-21479.50593

Kasey,

Per our conversation this morning, concerning the multiple tandem Architecture, Intermedia concurs with your understanding that Bell South requested this to be deployed to assist with the completion of traffic being blocked due to capacity limitations in the Buckhead tandem. We also understand that Bell South has requested that this arrangement be left in place until BellSouth has worked through the capacity problems in the Atlanta area and specifically the Buckhead tandem. We reiterate our preference to continue our direct interconnection to all the tandems in the Atlanta LATA.

Thus, I am closing out the ASR 1998-21479.50593 that you requested Intermedia submit to BellSouth in November in order to keep your Internal records consistent with BellSouth's circuit deployment.

Thanks

Mike Lofton
Manager - Network Facilities
813-829-2284
mglofton@intermedia.com

~~Ed Thomas~~

County of HILLSBOROUGH)
) ss.
State of FLORIDA)

AFFIDAVIT OF
EDWARD L. THOMAS

I, **EDWARD L. THOMAS**, being first duly sworn upon oath do hereby depose and state as follows:

1. My name is Edward L. Thomas. I am employed by Intermedia Communications Inc. ("Intermedia") as Director – Voice Planning & Deployment. My business address is 3625 Queen Palm Drive, Tampa, Florida 33619, and my telephone number is (813) 829-2930. In my capacity as Director – Voice Engineering, I am responsible for engineering the moves, adds, and changes of the telecommunications switching requirements within the Intermedia voice network. This includes the ordering and placement of central office switching equipment, ordering and placement of circuit groups between various exchanges, network capacity management, and network traffic management. My telecommunications background spans thirty-five years of experience and a myriad of technical training courses and seminars. I have attended Kent State University and Wooster (Ohio) College. Prior to joining Intermedia, I was employed by GTE for twenty-nine years in various management capacities.

2. I am submitting this Affidavit on behalf of Intermedia. The purpose of my Affidavit is to describe the manner in which Intermedia interconnects with BellSouth Telecommunications, Inc.'s ("BellSouth") facilities for the purpose of exchanging local traffic.

3. Intermedia is one of the largest independent competitive local exchange carriers ("CLECs") in the United States. In Georgia, Intermedia provides local exchange service primarily to business customers utilizing its telephone switches located in Atlanta. In order to reach end-users located in Georgia, Intermedia interconnects with BellSouth's facilities by purchasing so-called "interconnection trunks" from BellSouth. These "interconnection trunks" are used to connect Intermedia's switches with BellSouth's switches for the purpose of exchanging traffic. BellSouth's switching facilities are of two types: tandem switches and end office switches. A "tandem switch" is an intermediate switch or connection between an originating telephone call location and the final destination of the call; it serves to connect central offices when direct interoffice trunks are not available. An "end office switch" is the last switching point (i.e., central office) in the network before the subscriber's telephone equipment. Access to end users through direct connections to "end offices" subtending the "tandem" switches are appropriate where the volume of traffic so dictates; otherwise, connections to tandem switches are more economical. I provide as **EXHIBIT A** a diagram illustrating how a typical CLEC voice switch is connected to BellSouth's switch or switches.

4. There are at least two ways of reaching end users served out of BellSouth's end-offices. A CLEC could establish direct connections to each tandem within a local access and transport area ("LATA") in order to have access to the end-offices subtending each such tandem. For example, a CLEC could establish direct connections to Tandem A in order to reach end-users served out of end offices A-1, A-2, A-3, and so on; similarly, direct connections to Tandem B could be had in order to have access to end-users served out of end offices B-1, B-2, B-3, and so forth. I will refer to this as "Single Tandem Architecture." A diagram is provided in **EXHIBIT B**.

5. Another option is for a CLEC to interconnect to a single access tandem within the LATA to access all other tandems and end offices subtending the tandems. For example, a CLEC could establish trunk terminations to Tandem A, which would allow the CLEC to connect to the end offices subtending Tandem A, as well as to connect to end offices subtending Tandems B, C, and D via direct connections to Tandem A. The ultimate goal is to have access to all the tandems and end offices within a LATA through a single connection to one of the tandems (or at a minimum, through connections to less than all access tandems within the LATA). I will refer to this as "Multiple Tandem Architecture." A diagram is provided in EXHIBIT C.

6. The choice of whether to use a Single Tandem Architecture as opposed to a Multiple Tandem Architecture would depend on the particular needs of the CLECs. As a general rule, however, although Multiple Tandem Architecture is more economical because a CLEC need only interconnect with one tandem to have access to several tandems and the subtending end offices, this architecture is technically inferior. In particular, from an engineering standpoint, call efficiency is poorer in a Multiple Tandem Architecture setting. This is because the call is switched at multiple levels. On the other hand, Single Tandem Architecture offers high call efficiency because the amount of switching is significantly less. CLECs whose traffic volumes are significant tend to choose Single Tandem Architecture because their traffic volumes justify individual direct connections to each tandem. This is the case with Intermedia.

7. Prior to the first quarter of 1997, Intermedia had direct connections to the tandem switch in Buckhead. This allowed Intermedia to reach end-users that were served out of end-offices subtending the Buckhead tandem. Similarly, end-users served out of end offices

ıbtending the tandem switch located in Norcross were reached through Intermedia's connection to the Buckhead tandem.

8. Beginning in the first quarter of 1997, BellSouth stopped routing traffic to end-offices subtending the Norcross tandem via direct connections to the Buckhead tandem. BellSouth insisted that the interconnection agreement between BellSouth and Intermedia required direct connections to each tandem in the Atlanta, GA LATA. Consequently, Intermedia established individual direct connections to the Buckhead tandem and the Norcross tandem in order to reach end users served by the various end offices subtending the Buckhead and Norcross tandems, respectively.

9. Beginning in or around April 1998, Intermedia began experiencing congestion problems with the Buckhead tandem. Specifically, Intermedia was unable to obtain trunk ·rminations in the Buckhead tandem, the result of which was effectively to deny access to Intermedia's customers. Intermedia promptly brought this problem to BellSouth's attention, but the lack of available trunk terminations in the Buckhead tandem persisted for several months. BellSouth assured Intermedia that the addition of the Eastpoint tandem would alleviate the congestion at Buckhead. Indeed, when the Eastpoint tandem became operational, the congestion in the Buckhead facility was alleviated somewhat, but not for long. Soon thereafter, around the third quarter of 1998, the Buckhead tandem began experiencing congestion problems once again. The congestion problem in the Buckhead tandem became progressively worse and hit a critical point during the latter part of 1998, forcing me to escalate the problem sometime in December 1998 to Jon Rey Sullivan, Operations Assistant Vice President at BellSouth. I have since held several discussions with Mr. Sullivan, most recently in March 1999, to address the congestion

problem in Buckhead; however, the problem continued to persist until mid-April 1999 when BellSouth added circuits with Intermedia.

10. I believe that BellSouth may have converted Intermedia's direct interconnection to the Buckhead tandem into a multi-tandem architecture beginning in or around June 1998, *without* Intermedia's knowledge and consent, in order to alleviate the congestion in Buckhead. I believe this to be the case because Kasey Howard of BellSouth asked Dean Podzamsky of Intermedia to submit an Access Service Request ("ASR") to BellSouth in or around September of 1998, requesting the Buckhead tandem trunk group to be made multi-tandem. However, when Intermedia submitted the ASR to BellSouth in November 1998, *pursuant to BellSouth's request*, BellSouth advised Intermedia that the ASR could not be processed because the Buckhead tandem was already multi-tandem. This leads me to conclude that BellSouth had already converted Intermedia's interconnection to the Buckhead tandem into a multi-tandem architecture prior to the time BellSouth requested Intermedia to submit an ASR requesting multi-tandem. This is also consistent with Mike Lofton's conversation with Mr. Howard in late 1998, in which Mr. Howard advised Mike Lofton to submit an ASR for multi-tandem in order to make BellSouth's internal records consistent with its circuit deployment. Please see Mike Lofton's Affidavit.

11. I am unable to determine whether a multi-tandem architecture is in place *today* for Intermedia, although I am reasonably certain that the Buckhead tandem was made multi-tandem, on BellSouth's instance and without Intermedia's consent, in or around June 1998, as discussed above. It is beyond any doubt, however, that Intermedia is not, *on its own*, sending traffic destined to the end offices subtending the Norcross tandem via the Buckhead tandem. Specifically, traffic that is destined to the end offices subtending the Norcross tandem is sent

directly to the Norcross tandem, and traffic that is destined to the end offices subtending the Buckhead tandem is sent directly to the Buckhead tandem. BellSouth may well be using multi-tandem to route Intermedia's traffic today, but certainly *not* because Intermedia requested it. Indeed, once Intermedia's traffic is sent to the appropriate tandem, e.g., Buckhead tandem, Intermedia has no control over the ultimate routing of that traffic (and in fact Intermedia has no way of knowing whether that traffic was routed in the manner requested by Intermedia, unless BellSouth produces its translation records). As stated previously, Intermedia prefers to have direct, individual interconnections to all the tandems in the Atlanta LATA, for technical and other reasons.

12. In conclusion, Intermedia has never requested, *on its own*, multi-tandem architecture in the Atlanta LATA in June 1998 or anytime thereafter. Intermedia did, *at BellSouth's request*, submit an ASR requesting temporary conversion to multi-tandem architecture in order to relieve congestion in BellSouth's tandems. That ASR has since been cancelled by both Intermedia and BellSouth. It has never been Intermedia's intention to have a multi-tandem architecture on a permanent basis.

FURTHER AFFIANT SAYETH NOT.

Edward L. Thomas

SUBSCRIBED AND SWORN TO BEFORE ME this 14 day of July, 1999.

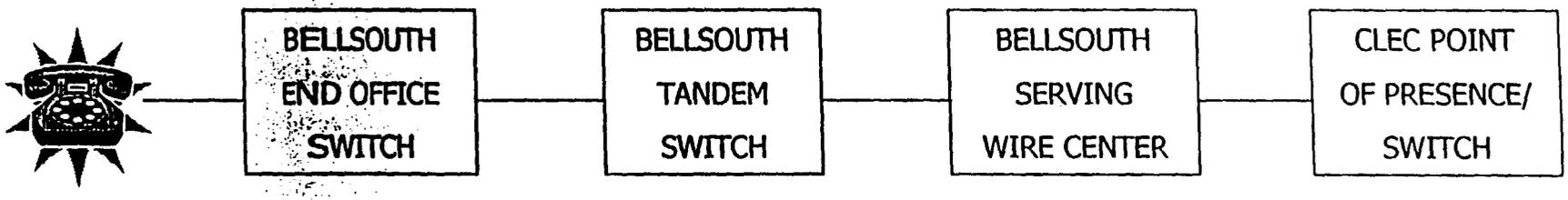
NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC TAMMY A. KUELL
State of Florida
My comm. expires July 17, 1999
Comm. No. CC 481368
(✓) Personally Known ( ) Produced I.D.

EXHIBIT A

TYPICAL INTERCONNECTION OF CLEC AND BELLSOUTH SWITCHES

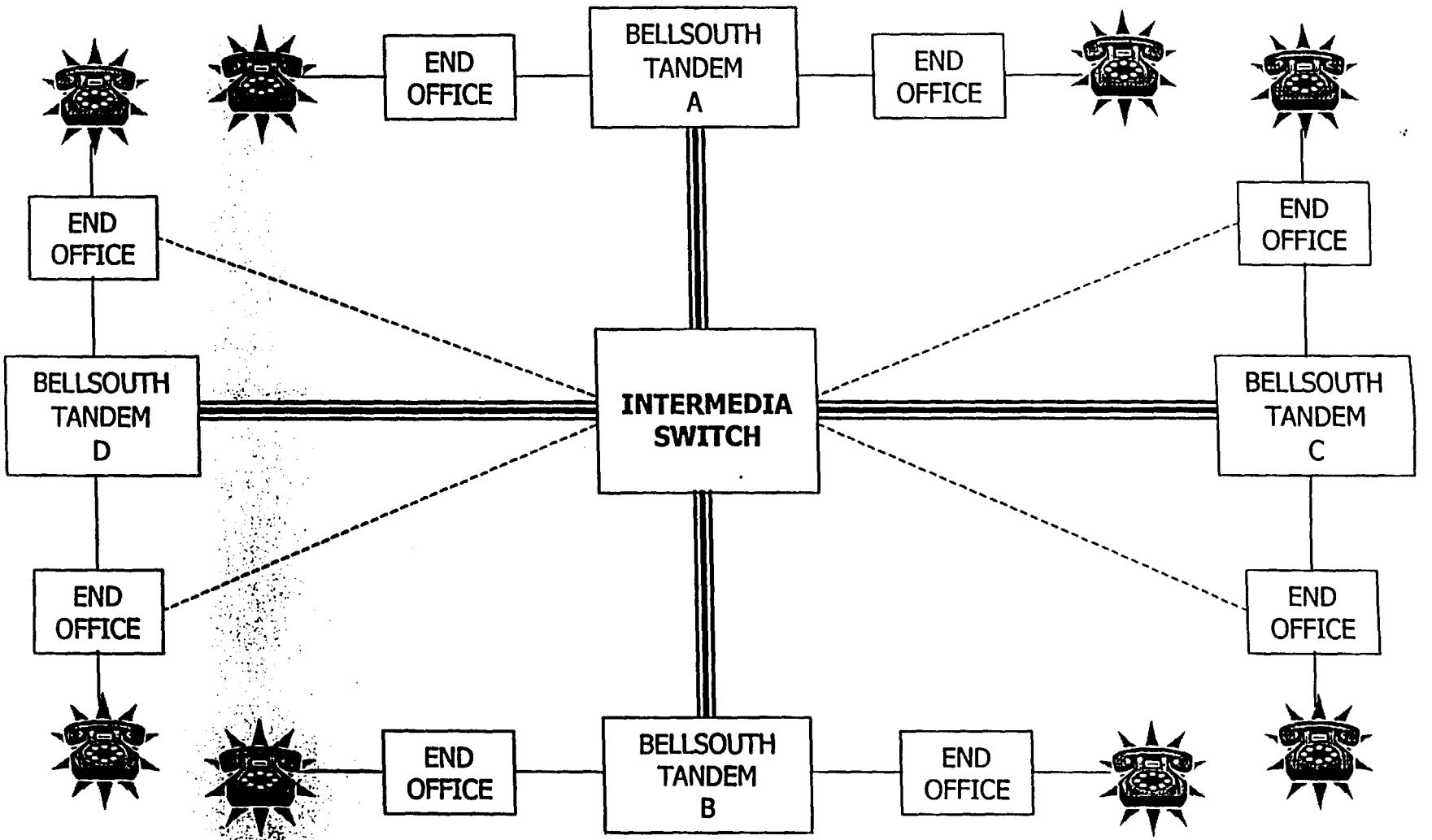


Affidavit of Edward L. Thomas

Exhibit A

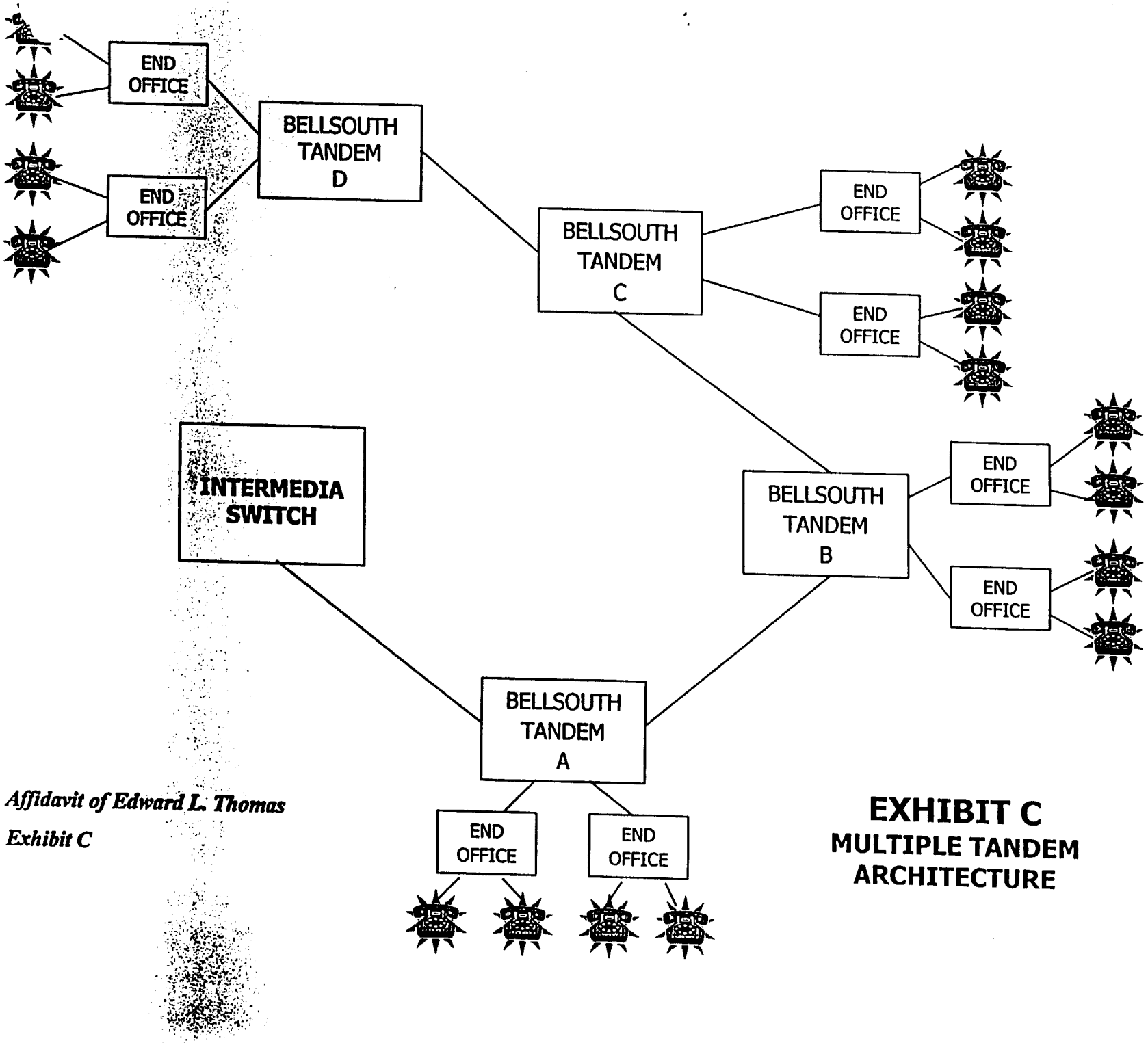
EXHIBIT B

SINGLE TANDEM ARCHITECTURE



Affidavit of Edward L. Thomas

Exhibit B



Affidavit of Edward L. Thomas

Exhibit C

EXHIBIT C
MULTIPLE TANDEM ARCHITECTURE